

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

ESTATE OF ROGER D. :
OWENSBY JR., et al., :
:
Plaintiffs, :
vs. : Case No. 01-CV-769
: (Judge S. A. Spiegel)
CITY OF CINCINNATI, :
et al., :
:
Defendants. :

Deposition of ALAN J. GOLDSCHMIDT, a
witness herein, called by the plaintiffs for
cross-examination, pursuant to the Federal Rules of
Civil Procedure, taken before me, Wendy Davies
Welsh, a Registered Diplomate Reporter and Notary
Public in and for the State of Ohio, at the offices
of Helmer, Martins & Morgan Co. LPA, 1900 Fourth &
Walnut Centre, 105 East Fourth Street, Cincinnati,
Ohio, on Friday, December 19, 2003, at 10:08 a.m.

1 APPEARANCES:	Page 2	1 I N D E X	Page 4
2 On behalf of the Plaintiffs:		2 Examination by: Page	
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4 Don Stiens, Esq.		4 - - -	
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10 On behalf of the Defendants City of Golf Manor,		10 Plaintiff's Exhibit 110 24	
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20 Darren Sellers, Jason Hodge:		20	
21		21	
22		22	
23		23	
24		24	
1 S T I P U L A T I O N S	Page 3	1 ALAN GOLDSCHMIDT	Page 5
2 It is stipulated by and among counsel for the		2 being by me first duly cautioned and sworn, deposes	
3 respective parties that the deposition of ALAN J.		3 and says as follows:	
4 GOLDSCHMIDT, a witness herein, called by the		4 CROSS-EXAMINATION	
5 plaintiffs for cross-examination, pursuant to the		5 BY MR. MARTINS:	
6 Federal Rules of Civil Procedure, may be taken at		6 Q. Sir, would you state for the record your	
7 this time by the notary; that said deposition may be		7 full name, please.	
8 reduced to writing in stenotype by the notary, whose		8 A. Alan Goldschmidt.	
9 notes may then be transcribed out of the presence of		9 Q. And what office are you affiliated with?	
10 the witness; and that proof of the official		10 A. I'm with the Regional Computer Center of	
11 character and qualifications of the notary is		11 the City of Cincinnati in Hamilton County.	
12 expressly waived.		12 Q. Is that in connection with the Regional	
13 - - -		13 Crime Information Center?	
14		14 A. That is correct. That is the -- the	
15		15 Regional Crime Information Center is the	
16		16 organization that maintains the computer data for	
17		17 law enforcement agencies throughout Hamilton County.	
18		18 Q. What is your job within the Regional Crime	
19		19 Information Center?	
20		20 A. I'm a computer systems analyst.	
21		21 Q. Have you ever had your deposition taken	
22		22 before?	
23		23 A. I have never had a deposition taken, but	
24		24 I've testified.	

<p style="text-align: right;">Page 14</p> <p>1 reading this, there is an inquiry made on May 2nd of 2 2000 at 2:25 a.m., QHW. What kind of inquiry is 3 that? 4 A. That is an abbreviation for a query 5 history wanted. And this is a -- is used as a name 6 search query, and it also retrieves information from 7 leads in NCIC. 8 Q. Leads? 9 A. Leads, N-C-I-C. 10 Q. What is NCIC? 11 A. It's a National Crime Information Center 12 maintained by the FBI. 13 Q. So this system that you work on and you 14 maintain has an interface, I guess, with a national 15 counterpart? 16 A. That's correct. 17 Q. The transaction is from a CH01. Do you 18 know what that stands for? 19 A. The CH01, I believe that's in the 20 courthouse, the Hamilton County Courthouse. I do 21 not know the station specific on that. 22 Q. Would that include the Justice Center? 23 A. I'm not certain about that. 24 Q. Anyway, the actual is CH01, and then</p>	<p style="text-align: right;">Page 16</p> <p>1 A. That's correct. 2 Q. I want to ask you about some of these 3 functions here. We covered the MDT, QHW. If you go 4 down to June 6, 2000 at 7:30 a.m., there's a QPS 5 function. Do you know what that stands for? 6 A. That stands for query personal summary. 7 Q. What does that mean? 8 A. It is -- it returns more information on an 9 individual, in that the QHW returns what we call as 10 a box score, which is a summary, I mean, a tally of 11 misdemeanors, felonies, and traffic offenses for 12 different types of columns on the sheet. The QPS 13 has a two-line summary for each contact of the 14 individual that we have in the system. 15 Q. When a police officer typically stops a 16 motorist, say for speeding or something like that, 17 in your experience, do they typically make some sort 18 of inquiry on either the person or the license? 19 A. Yes. 20 Q. Using the mobile terminal? How would that 21 play into accessing, say, this control number? If 22 I'm a police officer, I pull someone over for an 23 illegal left turn, and I put in the license number. 24 Is there a mechanism in the database that would then</p>
<p style="text-align: right;">Page 15</p> <p>1 there's a TUSER. Do you know who this person is of 2 the RACS-ID? 3 A. No, I do not. 4 Q. Let's go down to May 6th of 2000, at 2224 5 hours we have a function of MDT with a transaction 6 of 9R25. As far as the function being MDT, would 7 that stand for the mobile data terminal? 8 A. That is correct. 9 Q. So this would be an inquiry being made by 10 an officer in a police car? 11 A. That's correct. 12 Q. Then the 9R25, that is the transaction, 13 what does that represent? 14 A. That represents the unit that performed 15 the transaction. 16 Q. When you say the unit, what do you mean? 17 A. The MDT unit. It is logged in as 9 Robert 18 25. 19 Q. Are the units identified by the, if it's 20 in a police cruiser, would it be identified by the 21 cruiser number? 22 A. No. 23 Q. So there's a separate identifier for the 24 MDT apart from the cruiser number?</p>	<p style="text-align: right;">Page 17</p> <p>1 search, and if this control number was associated 2 with that license number, then would give the 3 information on the person who's registered to the 4 vehicle? 5 A. Yes, it does. 6 Q. So the officer doesn't have to put in the 7 name, he can put in the vehicle and still get the 8 information on the person who's registered to that 9 vehicle? 10 A. That's correct. It's not necessarily 11 who's registered to the vehicle. Who has had 12 contact with law enforcement in that vehicle. 13 Q. I see. So the person doesn't have to be 14 the person registered to the car? 15 A. That's correct. 16 Q. So if I had John Dillinger in my car and I 17 got pulled over, and a month later they put in my 18 license number, then the John Dillinger contact 19 would come up also? 20 A. Only if they made the entry for John 21 Dillinger on your license plate. 22 Q. On the first contact? 23 A. Was there a reason to make the entry? Was 24 there an arrest, or a warrant issued or with gun</p>

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1 registration at that point in time and they noted
 2 the license plate on it at that point in time, then
 3 it could come up at that point in time.

4 Q. Then the inquiry could also be made based
 5 on the person's driver's license, separate and apart
 6 from the car license tag?

7 A. That's correct.

8 Q. Going down on the functions, at
 9 October 13th of 2000 there is a function at 8:44 of
 10 QJ06. Do you see that?

11 A. Yes.

12 Q. Can you tell me what that stands for? I
 13 was amazed that you were going this far.

14 A. The other functions I have worked on. The
 15 QJ06 I have never really worked on. So that's why I
 16 have to refer to my notes on it.

17 The QJ06 is a function that formats
 18 information from the police database to be entered
 19 into the court management system.

20 Q. What do you take that to mean?

21 MR. WEISENFELDER: Thank you.

22 A. The court management system is separate
 23 from the law enforcement system. And this is a
 24 system that's maintained by the Hamilton County

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1 Q. The person, the RACS-ID is a KTRUE. Do
 2 you know who that is?

3 A. No, I do not.

4 Q. But this QJ06 is in relation to a physical
 5 arrest, is that what you're telling me?

6 A. That is correct.

7 Q. I note that this is all -- there are a
 8 series of these computer contacts for October 13th,
 9 the first being a 4:47 a.m. MDT with a transaction
 10 of 4351. Do you know what the 4351 stands for?

11 A. That is probably the -- it's the beat car
 12 of the Cincinnati Police Division.

13 Q. So cruiser number 4351?

14 A. I don't think they identify it as a
 15 cruiser.

16 Q. Oh, okay. The car?

17 A. Well, it's the -- the 4351 is usually the
 18 beat number, but it's the MDT number and it's
 19 usually referred to as the beat.

20 Q. Let me ask you to clarify then. What do
 21 you mean by beat car?

22 A. It's assigned through the system to patrol
 23 certain areas of the county. And this one is --
 24 from this number I can tell it's a Cincinnati police

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1 Clerk of Court. And in order to put an entry into
 2 their system, they have to grab the information from
 3 the RCIC database.

4 And this is a mechanism that they use to
 5 sit there and bring up the information from clear,
 6 put it on a computer screen. And then it takes it
 7 and puts it into the CMS database -- pardon me, the
 8 court management system database -- that maintains
 9 the system through the court system in Hamilton
 10 County.

11 Q. So using the scenario, if I got pulled
 12 over for speeding and I got a ticket, it would first
 13 come into the RCIC system. At some point then in
 14 the municipal court, when I was going to either
 15 fight my speeding ticket or whatever, someone from
 16 the court would grab that information and put it
 17 into the court system?

18 A. This instance right here is for a physical
 19 arrest and not for a speeding ticket. Speeding
 20 tickets are handled as a different function than
 21 what this is right here. So it's for an arrest.

22 Q. On this one we have a transaction of C348.

23 Do you know what that stands for?

24 A. That is a station at the Justice Center.

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1 number.

2 Q. If we go down to, again, with
 3 October 13th, at 2348 hours we have a function of
 4 IQW. Do you see that?

5 A. Yes.

6 Q. What does that mean?

7 A. IQW is the same as a QW, but it's checking
 8 for inactive records in the system.

9 Q. So this is a query concerning warrants?

10 A. That's correct.

11 Q. The transaction is made in a CT35 with an
 12 actual of CT28. What does that tell you?

13 A. CT28 was the physical station that was
 14 doing the transaction, and CT35 -- they were acting
 15 as the CT35 station.

16 Q. Do you know what CT stands for?

17 A. I believe that is the clerk terminal.

18 Q. I don't know if we've covered this. I
 19 don't think we have. Go to October 17th of 2000 at
 20 7:04 a.m. The function is QCH. Do you know what
 21 that stands for?

22 A. That's query criminal history record.

23 Q. The transaction is CCID, along with the
 24 actual being CCID. Do you know what CCID stands

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1 for? 2 A. That is the county identification station 3 and the Justice Center. 4 Q. The next line we have a function of QRA. 5 What does QRA mean? 6 A. That is the query record of arrest, and 7 that brings back information just on the one arrest 8 information at that point in time. 9 Q. That was made, transaction by a PRS6. 10 What does PRS6 stand for? 11 A. I believe that's the station pneumonic for 12 the prosecutor's office. 13 Q. Next line down, we have a QPS, which I 14 think you've already covered. What was QPS again? 15 A. Query personal summary. 16 Q. That's right, the more detailed summary? 17 A. That is a two-line summary. The query 18 record arrest has all of the information on it. 19 That is the detailed. 20 Q. That's the one the prosecutor's office 21 pulls up? 22 A. That's correct. 23 Q. The QPS was, the transaction was CVCS. Do 24 you know what that is?	1 include phone numbers in that miscellaneous numbers 2 also. 3 The next part of it is what I referred to 4 earlier as the box score, which has the felony, 5 misdemeanors, and traffic offenses. And it lists 6 various things like, has a lot of different columns 7 on it that correspond to arrest, convictions on 8 that. 9 Q. Does it have the person's picture? 10 A. No. <small>(Plaintiff's Exhibit 11 110 was marked for identification.)</small> 13 Q. I don't know if this is it, but I'm going 14 to show you something. I'm marking this as 15 Exhibit 110. Take a look at that, please. Let's 16 look at the first page of 110. Can you tell me what 17 that is? 18 A. Okay. This response right here is a 19 response from a QPS. 20 Q. So this is the personal history, the more 21 detailed history? 22 A. The two-line summary of context. 23 Q. Can you tell when this inquiry was made on 24 this particular page?